

PATENT APPLICATION  
Attorney Docket No. 17853-039

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Joseph Arruda, Gregor Mittersinker, Robert Southworth, A. Jason Mirabito, and Kenneth Rawlings

SERIAL NUMBER: Not Yet Assigned EXAMINER: Not Yet Assigned

FILING DATE: Filed Herewith ART UNIT: Not Yet Assigned

FOR: CAP WITH RETRACTABLE STYLUS

August 31, 2001  
Boston, Massachusetts

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

**PRELIMINARY AMENDMENT**

Sir:

Applicants respectfully request the present Divisional Application of Serial No. 09/474,545, filed herewith, be amended as follows:

In the Title:

Please delete the title and replace with the following:

CAP WITH RETRACTABLE STYLUS

In the Related Applications:

Please delete the section entitled Related Applications and replace with the following:

This application is a Divisional Application of U.S. Patent Application No. 09/474,545 filed December 29, 1999, which claims priority from Provisional Application No. 60/135,894 filed May 26, 1999 and Provisional Application No. 60/114,521 filed December 31, 1998 all of which are herein incorporated by reference.

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In the Claims:

Please delete claims 1-20 without prejudice to the subject matter claimed therein.

Please add the following new claims:

21. (new) A cap for a writing instrument, the cap comprising a first end having a first aperture for receiving the writing instrument and a second end having a second aperture and a retractable tip disposed therein.

22. (new) The cap of claim 21, wherein the retractable tip is dimensioned for interacting with a touch sensitive display.

23. (new) The cap of claim 21, wherein the retractable tip is fabricated from rubber.

24. (new) The cap of claim 21, wherein the cap is dimensioned to closely conform to a first end and a second end of the writing instrument, wherein the first end and or the second end of the writing instrument cooperate with the cap to cause the retractable tip to extend outwardly from the second aperture defined in the cap.

25. (new) The cap of claim 24, wherein the writing instrument is a pen.

26. (new) A writing instrument for alternatively writing on a surface and for interfacing with a touch sensitive display, the writing instrument comprising:

an elongated body having a first end having a writing tip and a second end; and

a cap having a first end having a first aperture with a retractable non-writing tip mounted therein and a second end having a second aperture, the second aperture being dimensioned to operatively connect the cap to the first end and the second end of the writing instrument, wherein the first end and or the second end of the writing instrument cooperate with the cap to extend the non-writing tip outwardly from the second aperture.

27. (new) The writing instrument of claim 26, wherein the non-writing tip is dimensioned for interacting with a touch sensitive display.

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28. (new) The writing instrument of claim 26, wherein the non-writing tip is fabricated from rubber.

29. (new) The writing instrument of claim 26, further comprising a source for generating a signal for remotely communicating with the personal digital device.

30. (new) The writing instrument of claim 29 further comprising a micro-switch for coupling the source for generating a signal to the writing tip.

31. (new) The writing instrument of claim 26 further comprising an ink supply positioned in the elongated body.

32. (new) The writing instrument of claim 29, wherein the source includes an electromechanical transmitter.

33. (new) A cap for an instrument, the cap comprising:  
a first end having a first aperture for operatively connecting to the instrument;  
a second end having a second aperture, the second aperture having a retractable tip mounted therein; and  
means for actuating the retractable tip through the second aperture.

34. (new) The cap of claim 33, wherein the retractable tip is dimensioned for interfacing with a touch sensitive display.

35. (new) The cap of claim 34, wherein the retractable tip is fabricated from rubber.

In the Abstract of the Disclosure:

Please delete the section entitled Abstract of the Disclosure and replace with the following:

Applicants: Joseph Arruda, et al  
U.S.S.N.: Not Yet Assigned

A cap containing a retractable tip for interfacing with a touch sensitive display. The cap can be configured to connect to a non-writing end and or a writing end of a pen. The pen can be configured on either or both ends to actuate the retractable tip such that the retractable tip is extended outwardly through an aperture in the cap. The cap can also be configured to connect with other writing or non-writing instruments.

REMARKS

The present application is a Divisional Application under 37 CFR §1.53(b) of U.S. Patent Application No. 09/474,545 filed December 29, 1999, which claims priority from Provisional Application No. 60/135,894 filed May 26, 1999 and Provisional Application No. 60/114,521 filed December 31, 1998 all of which are herein incorporated by reference.

If there are any questions regarding this amendment and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

The Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 17853-039.

Respectfully submitted,

  
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